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FISH & RICHARDSON P.C.				
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BURGESS, BARBARA N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/768,323

Applicant(s)

MEIRI, DAVID

Examiner

BARBARA N. BURGESS

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- 7) ☐ Paper No(s)/Mail Date: _____

DETAILED ACTION

This Office Action is in response to amendment filed June 5, 2008. Claims 1-9 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Peterson (US Patent 6,301,262 B1).

As per claim 1, Peterson discloses a method for posting a message on a message list accessible to a plurality of processors, said method comprising:

- Selecting a new-message slot (column 2, lines 36-41, 56-60, column 5, lines 10-12);
- Placing said message in said new-message slot (column 2, lines 41-43, column 5, lines 10-15, column 6, lines 18-21).
- Modifying said new-message slot to specify an intended recipient of said message, said intended recipient being selected from said plurality of processors (column 6, lines 15-26, 39-45).

As per claim 7, Peterson discloses the method of claim 1 further comprising updating a message directory to indicate the presence of said new-message slot in said message list, said message directory being accessible to said plurality of processors (column 5, lines 10-20, column 6, lines 15-29).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-6, 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson (US Patent 6,301,262 B1) in view of Xie et al. (hereinafter "Xie", US Patent 6,662,213 B1).

As per claim 2, Peterson does not explicitly disclose the method of claim 1 further comprising inserting said new-message slot into said message list, said message list including a first existing-message slot having a pointer to a second existing-message slot.

However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per claim 3, Peterson does not explicitly disclose the method of claim 2 wherein inserting said new-message slot into said message list comprises setting a first pointer on said new-message slot to point to said first existing-message slot and a second pointer on said new-message slot to point to said second existing message-slot. However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per claim 4, Peterson does not explicitly disclose the method of claim 3 wherein inserting said new-message slot into said message list further comprises setting said pointer associated with said first existing-message slot to point to said new-message slot. However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per per claim 5, Peterson does not explicitly disclose the method of claim 1 wherein modifying said new-message slot to specify an intended recipient comprises modifying a destination mask associated with said new-message slot, said destination mask including information specifying all intended recipients of said message. However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per claim 6, Peterson does not explicitly disclose the method of claim 5 wherein modifying said destination mask comprises

- Selecting, from a plurality of constituent data-elements of said destination mask, each of said constituent data-elements corresponding to one of said processors from said plurality of processors, a selected data-element corresponding to a selected processor;
- Modifying said selected data-element to indicate that said selected processor is an intended recipient.

However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per claim 8, Peterson does not explicitly disclose the method of claim 7 wherein updating said message directory comprises updating an attention mask containing information indicative of which processors from said plurality of processors are intended recipients of messages contained in said message list. However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

As per claim 9, Peterson does not explicitly disclose the method of claim 7 wherein updating said attention mask comprises:

- Selecting from a plurality of constituent data-elements of said attention mask, each of said constituent data-elements corresponding to one of said processors from said plurality of processors, a selected data-element corresponding to a selected processor;

- Modifying said selected data-element to indicate existence of a new message for which said selected processor is an intended recipient.

However, Xie teaches pointers to mask positions to identify the next or current message (column 8, lines 64-67, column 11, lines 7-9, 55-60).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Xie's pointer in Peterson's method in order to identify the next or current message.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Barbara N Burgess/
Examiner, Art Unit 2157

Barbara N Burgess
Examiner
Art Unit 2157

September 1, 2008

/Ario Etienne/

Supervisory Patent Examiner, Art Unit 2157